

EXHIBIT

4

DATE

1/18/07

HB

189

**Doug Cordier****From:** Dennis and Terry Divoky [tddivoky@centurytel.net]**Sent:** Thursday, January 18, 2007 6:23 AM**To:** Doug Cordier; mjopek@mt.gov; IXOYE777@centurytel.net; mtbecks@amerion.com; sonjunt@yahoo.com; witte@bresnan.net; repjunisjones@yahoo.com; mblasdel@bresnan.net; jannataylor@montana.com; Jonsesso@yahoo.com; Ripleys@3rivers.net; Musgrove@hi-line.net; Pjm511@hotmail.com; Macwilly66@msn.com; Jayne57@hotmail.com; Matthiner@hotmail.com; Rhawk@bresnan.net; Ejclark@northerntel.net; Intic@sofast.net; John@sinrud.com**Subject:** HB189

Hon. Chair Sinrud, Hon. Vice Chair Taylor and Members of the House Appropriations Committee:

I would like this letter to be placed in the record in support of HB 189. It is my understanding that this bill will be heard today, January 18, 2007.

This bill will provide critical funding for the Flathead Basin Commission's important work in leading the effort to prevent British Columbia mining interests from developing massive open pit mining projects in the headwaters of the Flathead River Basin. I believe the impact of the BC mine(s), if approved, will do irreparable harm to fish, wildlife, water quality and natural resources in the Flathead Basin; will be devastating to the economy of the Basin; and a major blow to the economy of the State of Montana.

Thank you,

Terry Divoky  
PO Box 306  
775 Belton Stage Road  
West Glacier, MT  
59936 406-387-5527  
[tddivoky@centurytel.net](mailto:tddivoky@centurytel.net)

1/18/2007

January 17, 2007

Hon. Chair Sinrud, Hon Vice Chair Taylor,  
Members of the House Appropriations Committee:

I would like this letter to be placed in the record in support of HB 189, as I may not be able to testify before the House Appropriations Committee meeting on January 18, 2007 at which it is my understanding that this bill will be heard.

I traveled to Elko, British Columbia for the first of the BC public meetings on the Cline coal mine project on January 16, 2007. I left that meeting with great concern.

I appeal to your Committee to vote in the affirmative on this important bill. If adopted and signed by the Governor, this bill will provide critical funding for the Flathead Basin Commission's important work in leading the effort to prevent British Columbia mining interest from developing a massive open pit mining projects in the headwaters of the Flathead River Basin. I believe that the impact of the BC mine (s), if approved, will do irreparable harm to fish, wildlife, water quality, and natural resources in the Flathead Basin; will be devastating to the economy of the Basin; and a major blow to the economy of the State of Montana.

Under the skilled leadership of Chairman Rich Moy, the Flathead Basin Commission has recently adopted a comprehensive five-year Strategic Plan. The transboundary component is a cornerstone in that Plan. The transboundary aspect was ignored at the Elko, BC meeting. Without adequate funding, the Commission cannot fulfill its statutory duties or achieve the worthy goals in its Strategic Plan.

The **only** effective way to impact a British Columbia decision to permit mining in the upper Flathead Basin is to show factually the environmental and economic impacts of such decisions, mobilize public opinion and local, state and federal political officials against the BC policy that promotes coal mining in the Flathead headwaters.

Your Committee can take the first important step in this process by funding the Flathead Basin Commission's work in collecting the desperately needed baseline data, allocating travel money for FBC to continue to represent the interests of the Flathead Basin residents and the State of Montana generally in MT/BC negotiations, and funding a transboundary specialist to coordinate our efforts on current and continued environmental assessments associated with proposed coal mining operations in the Flathead Basin headwaters and how that will relate to The Boundary Waters Treaty of 1909. My question on relevance of the Treaty was not addressed at the Elko meeting

I respectfully ask that you approve HB 189

Respectfully,

Monica Jungster  
POB 50 West Glacier, Mt. 59936

CC: Rep. Douglas Cordier



Lake County Commissioners

406-883-7204

Fax (406) 883-7203

## LAKE COUNTY

106 4th Avenue East

Polson, Montana 59860

January 10, 2007

73

RE: HB 189 - Funding for Water Quality Issues at the United States-Canadian Border

Dear Flathead and Mission Valley Legislators:

The Lake County Commissioners unanimously endorse House Bill 189, or similar legislative request, to provide one-time funding for:

- Water quality monitoring to establish baseline data for the North Fork of the Flathead River as it crosses the United States-Canadian border.
- Travel monies to allow Montana to actively participate in the environmental assessment processes related to the Cline mine and other mining applications in the North Fork drainage of British Columbia.
- An environmental specialist to coordinate Montana's involvement in the environmental assessment of mining applications and in the negotiations to finalize the Memorandum of Understanding between British Columbia and the State of Montana concerning trans-boundary water quality issues.

We believe this funding is critical to safeguarding water quality which has such a central role in our area's environmental and economic health. If we miss this opportunity to gather baseline water quality data, we will forego the opportunity to demonstrate cause and effect in the event the Cline coal mining application, or any similar application, is approved in the Flathead Basin watershed. Montana must actively participate in the environmental assessment processes of the Flathead Basin in British Columbia to assure our state's interests are protected. While the one-time funding request is substantial, it pales in comparison to the natural amenities potentially at risk.

We request your support of this important funding.

BOARD OF LAKE COUNTY COMMISSIONERS:

*Chuck Whitson*  
Chuck Whitson, Chairman

*Mike Hutchin*  
Mike Hutchin, Member

*Pat Trusler*  
Pat Trusler, Member

Post-It™ brand fax transmittal memo 7671		# of pages	3
Rep. Craig Cordier		From Lake County	
Col		Co.	
Dept.		Phone #	
Fax #	406-444-4825	Fax #	406-883-7205

*Flathead County*  
**Board of Commissioners**

(406) 758-5503

Joseph D. Brennenman  
Gary D. Hall  
Dale W. Lauman



January 9, 2007

Dear Flathead Legislators:


The Flathead County Commissioners unanimously endorse the Flathead Basin Commission's legislative request for an appropriation which would provide funding for critically needed baseline data in the North Fork, travel monies to ensure that Montana would have the opportunity to fully participate in the environmental assessment processes related to the Cline mine and other mining applications in British Columbia, and support for an environmental specialist to coordinate Montana's effort related to both environmental assessments for mining applications, as well as the ongoing BC/MT negotiation to finalize the trans-boundary Memorandum of Understanding between the province and the State of Montana.


We believe that this funding is imperative to safeguard the economic and environmental integrity of water quality and other natural resources. If we miss this opportunity to gather baseline water quality data, we will forego the opportunity to demonstrate cause and effect in the event that the Cline coal mining application is approved. If we fail to fully participate in the environmental assessment processes being undertaken in British Columbia, we will miss a critical opportunity to ensure that these processes take Montana's interests into account. Therefore, the legislative request is a small price to pay in light of the natural amenities at stake.

It is our understanding that House Representative Cordier is carrying LC 1765, with the support and co-sponsorship of Dr. Jones. Senator Brueggeman will be sponsor LC 1765 in the Senate, along with co-sponsors Barkus and Weinberg. We support the Flathead Basin Commission's legislative request, and encourage all members of the Flathead Delegation to join legislators Cordier, Jones, Brueggeman, Barkus and Weinberg in co-sponsoring and actively supporting LC1765.

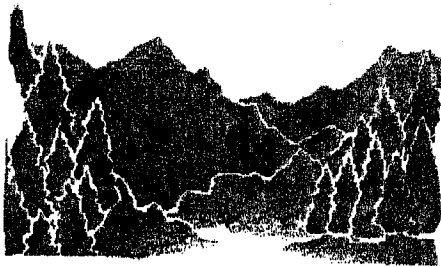
Thank you.

FLATHEAD COUNTY  
BOARD OF COMMISSIONERS

  
Joseph D. Brennenman, Chairman

  
Gary D. Hall, Member

  
Dale W. Lauman, Member

**LAKE COUNTY BOARD OF HEALTH**106 FOURTH AVENUE EAST  
POLSON, MT 59860-2175

PH: 406-883-7236 FAX: 406-883-7205

January 16, 2007

RE: Supporting House Bill 189  
Funding for Water Quality Issues at the United States-Canadian Border

Dear Chairman Sinrud and Members of the Appropriations Committee:

The Lake County Board of Health voted unanimously today to support House Bill 189 regarding water quality issues at the United States-Canadian border. Both baseline water quality monitoring near the border and participation in the environmental assessment of the proposed Cline Mine are essential in assuring the continued high water quality of the Flathead basin.

As a local board of health, we are concerned that mining activities within the Flathead watershed may cause significant water quality degradation. Our area citizens rely heavily on Flathead Lake for drinking water and recreational activities. It is essential the current high level of water quality be monitored to assure baseline levels are not impacted by mining activities.

That British Columbia is willing to allow Montana to participate in the environmental assessment process is commendable and encouraging. It is critical that travel expenses and staff to facilitate this opportunity are funded.

We would appreciate your support of this bill to protect the water quality and public health of our communities.

Respectfully submitted,

Chuck Whitson, Lake County Commissioner  
Chairman

**Doug Cordier**

**From:** Dave Hadden [paddler@centurytel.net]  
**Sent:** Friday, January 12, 2007 1:13 PM  
**To:** bcdc@digisys.net  
**Subject:** Testimony: Flathead Basin Commission Bill



January 15, 2007

Dear Rep. Cordier:

Thank you for your sponsorship and leadership of the vitally important Flathead Basin Commission appropriations bill (HB189).

I had hoped to attend and testify in favor of this appropriation, but I am in Fernie, British Columbia, because the provincial government scheduled hearings for today on the proposed Cline Coal mine proposal. This proposed mine threatens the water quality of the North Fork Flathead River and Flathead Lake and is the very justification for the Flathead Basin Commission appropriation request. As president of the Flathead Coalition, I ask that you read this letter into the official hearing record.

The Flathead Coalition represents individuals, businesses and conservation groups of both Montana and British Columbia concerned with protecting the water quality of the 'Transboundary Flathead'. We got our start in 1975 with the Cabin Creek coal mine, the first proposed mountain top coal strip mine in the Canadian headwaters of the Flathead.

We challenge that 1975 mine and its clear threat to Flathead Valley water and way of life. More than a decade of intense public scrutiny and effort eventually killed that ill-considered project. Yet the Flathead Coalition never disbanded. We recognized that as long as the coal remained in the ground, some multi-national mining conglomerate would come along and make another grab at it - and once again threaten our clean water.

And now they're back.

Montana now faces the threat of the Cline Mining Company's Lodgepole Coal Mine, located on Foisey Creek, a major tributary of the North Fork Flathead River. The proposal is to remove a mountain, just 22 air miles north of the border, ship out the coal and leave behind the slag heaps.

Let's not mince words or understate the threat this mine poses to our water, wildlife and way of life. If the Cline mine proceeds we Montanans, sooner or later, will have a mess on our hands.

We can look at similar Canadian drainages that have seen similar mines. If those are any indication, Montana can expect 25-times the normal level of the toxic metal Selenium in our water; pollutants of nitrates and nitrites will be off the charts; we'll have fewer, if any bull trout; wildlife habitat and wildlife migration routes will be seriously compromised or destroyed; Glacier National Park's western boundary and Flathead Lake will receive all that toxic water.

Fortunately we have - as in the past - an excellent chance to stop this Canadian mine from becoming our polluted water. But only if Flathead Valley residents unite as they have in the past to defeat this inappropriate industrial development in our headwaters.

And only if we have the tools to document the present pristine water quality of the Transboundary Flathead. This is where HB189 fits in, and why it is so vitally important.

Governor Schweitzer had demonstrated great leadership on this issue. He has met with the British Columbia Premier Gordon Campbell and established two teams of experts to present Montana's interests and concerns. And the Flathead Basin Commission - under the Governor's executive authority - has diligently investigated

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the proposed mine.

HB189 will give the Basin Commission the tools it need to document the present pristine water quality at the proposed Cline mine – because British Columbia refuses to do so – and at locations throughout the watershed. It will also provide the Basin Commission with essential staff to birdog this mine until we defeat it. We must protect our water and way of life and HB189 makes it possible to do so.

In the opinion of the Flathead Coalition every penny of this appropriation request can be justified. To date the Flathead Basin Commission has been stretched exceedingly thin attempting to meet the challenge posed by the Cline mine proposal. Please vote 'Aye' on this important appropriations and give the Commission the tools to do the job it is already doing so well.

Respectfully submitted,

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Dave Hadden, President  
Flathead Coalition  
545 Holt Drive  
Bigfork, MT 59911  
406-837-0783  
paddler@centurytel.net



**Doug Cordier**

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**From:** VuchetichC@aol.com  
**Sent:** Wednesday, January 17, 2007 4:48 PM  
**To:** bcdc@digisys.net  
**Subject:** HB189

*To Doug Cordier: I don't know the proper form for sending this letter on the the House Appropriations Committee and hope you will help me by doing so. It's very important to all of us in the Flathead Valley that HB 189 be passed to prevent Cline Mine from ruining that most special place. Thank you for passing this letter on.*

January 17, 2007

Hon. Chair Sinrud, Hon. Vice Chair Taylor and Members of the House Appropriations Committee:

I would like this letter to be placed in the record in support of HB 189, since I cannot attend and testify before the House Appropriations Committee meeting on January 18, 2007 at which it is my understanding that this bill will be heard.

I appeal to your Committee to vote in the affirmative on this important bill. If adopted and signed by the Governor, this bill will provide critical funding for the Flathead Basin Commission's important work in leading the effort to prevent British Columbia mining interests from developing massive open pit mining projects in the headwaters of the Flathead River Basin. I believe the impact of the BC mine(s), if approved, will do irreparable harm to fish, wildlife, water quality and natural resources in the Flathead Basin; will be devastating to the economy of the Basin; and a major blow to the economy of the State of Montana.

Under the skilled leadership of Chairman Rich Moy, the Flathead Basin Commission has recently adopted a comprehensive five-year Strategic Plan. The transboundary component is a cornerstone of that Plan. Without adequate funding, the Commission cannot fulfill its statutory duties or achieve the worthy goals adopted in its Strategic Plan.

The only effective way to impact a British Columbia decision to permit mining in the Flathead Basin is to demonstrate factually the environmental and economic impacts of such decisions, and mobilize public opinion and local, state and federal political officials against the BC policy that promotes coal mining in the Flathead headwaters. Your Committee can take the first important step in this process by funding the Flathead Basin Commission's work in collecting desperately needed baseline data, allocating travel money to ensure that FBC continues to represent the interests of Flathead Basin residents and the State of Montana generally in MT/BC negotiations, and funding a transboundary specialist to coordinate our efforts on current and potentially forthcoming environmental assessments associated with proposed coal mining operations in the Flathead Basin headwaters.

I respectfully ask that you approve HB 189.

Respectfully,

Carol A. Vuchetich and  
Dr. James D. Cleghorn  
Whale Creek Estates  
Polebridge, Montana

1/17/2007



January 17, 2007

Hon. Chair Sinrud, Hon. Vice Chair Taylor and Members of the House Appropriations Committee:

Please add this letter to the record in support of HB 189, since I cannot attend and testify before the House Appropriations Committee meeting on January 18, 2007 at which it is my understanding that this bill will be heard.

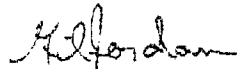
I appeal to your Committee to vote in the affirmative on this important bill. If adopted and signed by the Governor, this bill will provide critical funding for the Flathead Basin Commission's important work in leading the effort to prevent British Columbia mining interests from developing massive open pit mining projects in the headwaters of the Flathead River Basin. I believe the impact of the BC mine(s), if approved, will do irreparable harm to fish, wildlife, water quality and natural resources in the Flathead Basin; will be devastating to the economy of the Basin; and a major blow to the economy of the State of Montana.

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I respectfully ask that you approve HB 189.

Sincerely,



Gil Jordan

Coram, Montana 59913